

Court No. - 64

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 51043 of 2021

Applicant :- Amarpal

Opposite Party :- State of U.P.

Counsel for Applicant :- Ashok Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Ram Krishna Gautam,J.

Heard over bail application moved by applicant, Amarpal, in Case Crime No. 82 of 2021, under Section 3/5A/8 U.P. Prevention of Cow Slaughter Act & 11 Prevention of Cruelty to Animals Act and 307, 429 I.P.C., Police Station- Unj, District-Bhadohi.

Learned counsel for the applicant argued that the accused-applicant is innocent; he has been falsely implicated in this very case crime number and is languishing in jail since 21.10.2021; neither any slaughtering nor case of possession of beef, rather a case of transportation of cow slaughtering substances is there; the alleged place of occurrence is not a border State; no such recovery was there nor there was any independent public witness; he is of no criminal antecedent and there is no likelihood of fleeing from course of justice or tempering with evidence in case of release on bail; hence, bail has been prayed for.

Learned AGA has vehemently opposed, but could not oppose the aforesaid facts.

Having heard and gone through materials placed on record, considering all above facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima facie case, but, without commenting on merits of the case, a case for bail is made out.

Accordingly, the bail application is allowed.

Let the applicant, Amarpal, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties, each, in the like amount, to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court unless his personal appearance is exempted through counsel by the court concerned.
5. The party shall file computer generated copy of such order downloaded from the official website of High Court, Allahabad.
6. The computer generated copy of such order shall be self attested by counsel of the party concerned.
7. The concerned Court/ Authority/ Official shall verify the authenticity of such computerized copy of the order from the official website of High Court, Allahabad, and shall make a declaration of such verification in writing.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

Order Date :- 8.2.2022

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